

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

In re:

ROGER J. OTTOMAN,

Debtor.

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WASHTENAW COUNTY, MICHIGAN,  
et. al.,

Plaintiffs,

vs.

THOMAS LEE WALKLEY, et al.,

Defendants.  
\_\_\_\_\_

Case No. 24-45025

Chapter 12

Judge Thomas J. Tucker

Adv. No. 24-4360

**ORDER GRANTING THE PLAINTIFFS' MOTION FOR ABSTENTION, REMANDING  
THIS ACTION TO STATE COURT, GRANTING RELIEF FROM THE AUTOMATIC  
STAY, AND DENYING MOTION FOR MEDIATION**

This adversary proceeding is before the Court on the motion filed by the Plaintiffs for abstention and remand of the removed state court action back to the state court. (Docket # 17, the "Motion"). Today the Court has filed a written opinion regarding the Motion (Docket # 47, the "Opinion"). For the reasons stated in that Opinion, the Court enters this Order.

IT IS ORDERED that:

1. The Motion (Docket # 17) is granted.
2. The Court abstains from hearing this adversary proceeding, based on the permissive abstention grounds under 28 U.S.C. §§ 1334(c)(1).
3. All of the claims in the State Court Lawsuit<sup>1</sup> are remanded back to the Washtenaw County, Michigan Circuit Court, from which they were removed.

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<sup>1</sup> Capitalized terms used in this Order have the meaning given to them in the Court's Opinion, unless otherwise stated.

4. The parties are granted limited relief from the automatic stay, to permit them to litigate the State Court Lawsuit to conclusion, including any appeals, except as noted in paragraph 5 below. The automatic stay that has arisen in the bankruptcy case of Roger Ottoman, Case No. 24-45025, does not apply to protect any of the Defendants other than Roger Ottoman.
5. Except for the limited relief from stay granted in paragraph 4 of this Order, the automatic stay remains in full force and effect. In addition, the Plaintiffs are not granted any relief from stay, at this time, to permit them to seek, or try to collect, any damages, attorney fees, or other monetary relief against the Defendant Roger Ottoman in the State Court Lawsuit.
6. The relief from stay granted by this Order, and this Order, will be effective immediately after the entry of this Order, and the 14-day stay under Fed. R. Bankr. P. 4001(a)(3) will not apply.
7. No later than November 12, 2024, the Plaintiffs must serve a copy of this Order, and the Court's Opinion filed today, on the Clerk of the Washtenaw County, Michigan Circuit Court, and then promptly file proof of such service in this adversary proceeding.
8. The motion filed in this adversary proceeding by the Defendant Roger Ottoman to require mediation (Docket # 33) is denied, as moot.
9. This Order concludes this adversary proceeding, which now will be closed.

**Signed on November 8, 2024**



**/s/ Thomas J. Tucker**

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**Thomas J. Tucker**  
**United States Bankruptcy Judge**